THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 3797 of 2006

Dated: 14.03.2006

Between:

Alluri Lakshmi Narasimham,S/o A.Krishna Murthy Sastry

Assistant Accounts Officer, O/o GMTD, Kadapa District.

… **PETITIONER**

And:

The Union of India, rep., by its Secretary,

Department of Telecom,

Ministry of Communications & Information Technology,

New Delhi and others.

… **RESPONDENTS**

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No.3797 of 2006

ORDER:

Petitioner, who is working as an Assistant Accounts Officer in Bharat Sanchar Nigam Limited, filed this writ petition questioning the order dated 06.09.2004, passed by the Member (Finance) Telecom Commission, Department of Telecommunications.

After conducting enquiry in the disciplinary proceedings initiated against the petitioner, the impugned order, dated 06.09.2004, is passed imposing the punishment of reducing the time scale of pay in two stages for a period of two years. Against the same, the petitioner has preferred an appeal before the first respondent on 20.10.2004 under Rule 24 of the CCS (CCA) Rules, 1965 (for short “the Rules”) and the same is pending consideration.

Learned Standing Counsel for the respondents, on instructions, submits that the appeal preferred by the petitioner is pending consideration.

Inasmuch as the appeal preferred by the petitioner is still pending consideration, there is no need to examine the validity of the impugned order in this writ petition filed under Article 226 of the Constitution of India. As the appeal is preferred as early as on 20.10.2004 and is pending consideration, I dispose of the writ petition directing the first respondent-appellate authority to dispose of the appeal preferred by the petitioner against the order, dated 06.09.2004, by fixing a date of hearing, within a period of six weeks from the date of receipt of a copy of this order. It is needless to observe that the petitioner be given an opportunity before disposal of the said appeal.

Subject to the above directions, the writ petition is disposed of. There shall be no order as to costs.

_____

14.03.2006

Note: Despatch a copy of the order in three days.

(B/o)

sh